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CLERK, U.S. DISTRICT COURT

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DISTRICT OF UTAH

BY: \_\_\_\_\_  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH

CENTRAL DIVISION

MK GOLD COMPANY,

Plaintiff,

v.

MORRISON KNUDSEN CORPORATION,  
a Delaware corporation,

Defendant.

LEUCADIA NATIONAL CORPORATION,  
a New York corporation,

Plaintiff,

v.

MORRISON KNUDSEN CORPORATION,  
a Delaware corporation, ROBERT A.  
TINSTMAN, an individual, STEPHEN G.  
HANKS, an individual, and JOHN DOES  
1-10, individuals,

Defendants.

**ORDER**

Civil No. 2:96CV 0935ST

Civil No. 2:98CV 0327ST

Judge Ted Stewart

Magistrate Judge Ronald N. Boyce

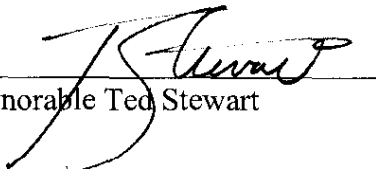
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Based upon the Stipulation and Joint Motion of the parties and good cause appearing therefore, it is hereby *ORDERED* as follows:

1. Morrison Knudsen Corporation ("MKC") is granted to leave to file its proposed Amended Counterclaim in the case captioned MK Gold Company v. Morrison Knudsen Corporation, Case No. 2:96CV 0935ST;
2. The parties are granted leave through January 31, 2000 to conduct discovery solely on the issue of the Apex San Cristobal Project; and
3. The parties are granted leave through February 15, 2000 to file dispositive motions limited solely to the Second Cause of Action in MKC's Amended Counterclaim.


DATED this 9<sup>th</sup> day of November, 2000.

BY THE COURT

  
\_\_\_\_\_  
Honorable Ted Stewart

APPROVED AS TO FORM:

VAN COTT, BAGLEY, CORNWALL & McCARTHY

  
\_\_\_\_\_  
David A Greenwood  
Stephen K. Christiansen  
Counsel for MK Gold Company

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United States District Court  
for the  
District of Utah  
November 13, 2000

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:96-cv-00935

True and correct copies of the attached were either mailed or faxed by the clerk to the following:

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